

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION**

JOANNA FERNANDEZ SANTIAGO,

Plaintiff,

V.

**AMAZON.COM SERVICES, LLC,
AMAZON.COM, INC., BRIGGS IN-
DUSTRIAL SOLUTIONS, INC., HYS-
TER-YALE GROUP, INC.,**

Defendants.

CIVIL NO. W-23-CV-00134-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE'S AMENDED REPORT AND RECOMMENDATION**

Before the Court is the Amended Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 81. The report recommends Plaintiff's Motion to Dismiss Defendants Hyster-Yale Group, Inc. d/b/a Hyster Company and Briggs Industrial Solutions, Inc. d/b/a Briggs Equipment (ECF No. 60) be **GRANTED**. The amended report and recommendation was filed on July 29, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Defendants filed objections on August 6, 2024. ECF No. 83. The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objection

to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

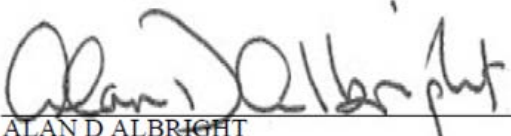
IT IS THEREFORE ORDERED that the Amended Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske., ECF No. 81, is **ADOPTED**.

IT IS FURTHER ORDERED that Defendants' objections are **OVERRULED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Dismiss, ECF No. 60, is **GRANTED** and the deadline to designate responsible third parties be extended until September 13, 2024, in accordance with the Amended Report and Recommendation.

IT IS FINALLY ORDERED that Defendants Briggs Equipment and Hyster be **DISMISSED**.

SIGNED this 29th day of August, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE